G. R. S. 59]

GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1901.

(Police)

File No. 51

Serial Nos. 1—2

Papers Filed.

Month January 1902

SUBJECT.

Reinstatement ~~of~~ in service of Shick Ibrahim, a Police Constable of the Kemp Police Station.

P. Sethagoni Rao

PREVIOUS REFERENCES.	LATER REFERENCES.
	Communicated

MYSORE DEWAN'S OFFICE

DEP

SEC. Police

FILE No. 51 Alt '42

SERIAL No.

SUBJECT

OFFICE NOTE.

Reinstatement in service of a Police constable by name Sheik Ibrahim of the Kengeri Police Station, who has been dismissed from Service for dereliction of duty.

LAST REFERENCE

Letter No. 5.3.7 dated 23.12 July/1943

From the Inspector General of Police in Mysore:

The Duffedar of the Kengeri Police Station de-tailed on the 13th of Janu-ary A constable by name Sheik Ibrahim of the said station to escort to Byadarahalli Station, a gang of 40 Vaddars who had arrived at Kengeri. The constable left the station with the gang at abou

out 3 or 4 P.M, but re-
ned to Kengeni at 6 o'clock
next morning (14th Jany/01)
d intimated to the Difficulties
t he escorted the gang as
u as the Casuarina Plantation
u near Gollan Falls (at a
stance of a mile and a
lf from Kengeni), where
gang people threw off
ir bag and baggage
d refused to proceed
rther. The whole of
e night he was watch
g them there, but at abo
A.M. on the 14th Jany/01
e got fever and beg
me for a while. On
aking he found the
hole gang had esca
e immediately searched

for them in the neighbour
hood, but he did not e
find them.

The Duffedar
obtaining an explana
tion from the
constable to the above
effect, submitted the e
same with his diary
to the Inspector and
reported that the
constable as alleged
appeared to be ill
from his countenance
and that he would
make all efforts to
trace the gang and sub
mit a further report
as to the result of his
search.

The Police Inspecto
attributing

attributing the escape of the gang to the negligence of the Constable, requested the Supt of Police to dismiss him as he was only an acting incumbent in a permanent vacancy and to appoint another in his place.

The Superintendent passed an order accordingly.

The ex-constable presented on 14-5-01 a petition to the Dy-Commissioner stating the following:—

He returned to the Kengeri Station about 2 P.M on the 12th January 1901 from his l. a. l- during which he

was from the previous night till then, when the Duffadar asked him to keep watch over a gang of waddars who had all halted near a tank bund there and said that he would also be there instantly. In return he requested the Duffadar to detail some other constable for the said work as he had just then returned from beat duty and as he was also suffering from fever. But being compelled to go he obeyed the Duffadar. The latter as promised arrived at 4 P. M on the spot where the

e gang people had halted
id asked the petitioner
escort the said gang to
yadavhalli Station with
me. Then the petitioner
equested him to allow
nother constable to go
ith him as he had to
scort a gang of 40 people
one through a jungle,
specially, when the
ening had also fast
pproached. In spite
f his remonstrations
e was directed to go.
Accordingly the petnr
scorted the gang as
eople as far as ~~where~~ a
'a swamp plantation
t a distance of a mile
nd a half from

Rengeve, where they all c
halted and refused to
proceed further. He also
remained with them. But al
about 4 A. M. he fell asleep
on account of his fever
when the gang escaped. c
He prays that under the
foregoing circumstances,
he may be restored to
his appointment which
he held for 7 years.

The Deputy Com-
missioner perusing
the above petition
passed an order de
declining to interfere
with the order passe
by the Superintend
and further directed
the petitioner to
represent-

represent his case to the Superintendent himself.

The petitioner ultimately on 17-5-01 submitted a petition to the Inspection General of Police setting forth the above circumstances and requested him to restore him to his appointment, which he held for 7 years rendering entire satisfaction to his official superiors. He further represented to the I.G.P. that he was not heard in person.

The I.G.P. in his Docket no 4384/425 dated 7-6-01 requested the Superintendent of

Police to furnish the follow-
-ing particulars:-

1 Whether the constable was ill at the time he was ordered to escort a gang to Byadarahalli;

2. Whether he can prove it;

3. Whether the Muffedar admits the fact

4. Whether the constable adduced any evidence in support of his allegations that he escorted the gang up to a Casuarina Top when it became impossible for him to guard it as he lost his control over himself and became unconscious from an attack

under 4 of fever and of
no evidence had been adduced
with reference to this and
other points noted, the
Police Superintendent
would give the constable
an opportunity to prove
his case and pass fresh
orders if necessary.

With reference to the
above queries, the Supdt
reported that the constable
was not ill, nor did
he appear to be ill at
the time he was detailed
to escort the gang to
Byadwalli nor (the
ex-constable) could
adduce any proof in
support of his state-
ment that he was ill
when told off to escort

the gang.

With reference to query (4) that the constable had not adduced any evidence but on being given an opportunity to do so, he added he cited 2 witnesses whose statements were cumulative. ~~did not corroborate.~~ The Superintendent therefore saw no reason to alter or modify his previous order dispensing with the services of the ~~applicant~~ applicant.

It may be noted that the Defence in his report to the Inspector stated that the constable appeared to be ill from his countenance, but

at when he gave his de-
osition before the Supdt
f Police, & he said that
the constable was not
ll when he detailed him
or he (the constable) told
him that he was ill
when he reported the
scape of the gang.

The two ~~witnesses~~ persons whom the constable ~~s~~ ited as his witnesses ~~in~~ differ in point of time but both say that they arrived at the plantation at about 6 O'clock in the evening and saw that the gang was dressing their food there and that the constable was lying down with fever.

1 Rangiah
2 munisamy.

(Rangiah at arrd at 5.30. P.M.
munisamy at 5-1 P.M.)

The Inspector General without passing any orde
upon the petition has
commanded the same fo
the orders of Court. ~~He~~
stating that he could n
dispose of the same as
he in the first instance
has confirmed the Supe
order.

Submitted for
orders.

mca
8/10/07. Must first I should
like to know why it has
taken you 2½ months to subm
this paper for order
Let me have a written explanation by 10-10.
before him now
Explanation
separately prepared
10-10-07.

Pet. ruled to Show
for order
1/
12/10

There is some reason to believe that the man was really ill. The man is said to have been acting but was in employment 7 years. The I.G. may be asked to reemploy the man treating the interval as suspension.

Submitted to the Divan

13/III/07

2397
13/11/07.

3094
2 decline to interfere. This a case of proved negligence when employed on responsible work unpunctually

7.1.07

8/1

4-7-07

Draft
10/1/07

SECTION Pol

FILE No. 510:02

SERIAL No. 1

SEC
1124
24-7-01
190

JM

From

THE INSPECTOR GENERAL
OF POLICE IN MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPTS.

Dated 22

Despatched 23 July 1901

Received

General No. 537

No. 43

Enclosure No.

Submitting for the Orders of Govt the record connected with the dismissal of Constable Sheik Ebrahim of the Kengeri Station.

24/7/01

25.7.01

Submitted for orders

MA

16-8-01

MGCPE—5-3-01-1000

20

OFFICE OF THE

INSPECTOR GENERAL OF POLICE IN MYSORE

No. 537/43 DATED Bangalore, 22nd July 1901

Enc. One file with the petn:

FROM

THE INSPECTOR GENERAL OF POLICE IN MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

Sir,

I beg to submit for the orders of Government the records connected with the case of Sheik Ebrahim, ex-constable of the Kengeri station. He was dismissed the force by the Bangalore Police Superintendent for dereliction of duty and the order was confirmed by me as Deputy Commissioner. As I cannot hear the present appeal as against my own order, I submit the records of the case.

I have the honor to be,
Sir,
Your most obedient Servant

Offg. Inspector General of Police.

Rec'd

Ft as per orders

SECTION Pol
FILE No. 510/01-02
SERIAL No. 2

Read:—
Letter No 537/43 dated 23rd July 1901, from the Inspector General of Police in Mysore, submitting for orders, an appeal petition together with the records connected with the dismissal of Police Constable Sheik Ibrahim of the Kengeri Police Station by the Supdt of Police, Bangalore, for dereliction of duty, and stating that as the order of the Police Supdt was confirmed by him in his capacity of Dy. Commr, he cannot hear the present appeal against his own order.

Order thereon:—
Government decline

11659/1954 Encl file - 15-1-02

reason to interfere
in this matter. This
is a case of proved dismissed constable
negligence on the part of the when employed
on very important
duty.

Dharwar 1/01/02

1/01.02

For Secretary.

To. The Inspector Genl
of Police in Mysore
returning enclosures.